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India: The conditions under which people have their names placed in the Police Communication Network (POLNET); whether those arrested and then released without any charge have their names placed in the POLNET; whether those persons whose names are placed in the POLNET face restrictions when changing their residence; whether this information is different for persons in Punjab

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The Police Communication Network (POLNET) is a "satellite based integrated network that uses terminals and radio telephones" to link New Delhi with the state capitals and whose main purpose is the sharing of information among police organizations throughout India (Indo-Asian News Service 12 Mar. 2009). In 2008, it was reported that the POLNET is not yet "fully operational" (*The Times of India* 29 Nov. 2008).

In 17 December 2008 correspondence, a professor in the department of criminal justice at Indiana University in Bloomington who has served for 17 years with the Indian police service and who conducts research on police issues in India provided the following information, which applies to Punjab and throughout India. The POLNET remains in the implementation stage and is not yet operative throughout India (Professor 17 Dec. 2008); this information corroborates that provided by *The Times of India*. The names of those who have been convicted, arrested or suspected of having committed a crime in India are placed in police records and "most likely" their names would be placed in the POLNET (ibid.). Those who are arrested and then released without any charge are entered into the POLNET if they are designated by the police as "suspects" (ibid.). People whose names are placed in the POLNET are able to change their residence, although the courts may require them to notify the police if there is a change in their residence (ibid.). The courts may sometimes require that people whose names are placed in the POLNET remain in a particular city or county unless they receive permission [not specified by whom] to move, but these people are able to change their address within the city or county (ibid.).

In 11 March 2009 correspondence, a human rights advocate with the Supreme Court and the Punjab and Haryana High Court provided the following information derived from his experience with cases of human rights violations in Punjab. The names of those in India who have committed crimes and who have been "declared as Proclaimed offenders" by a Magistrate court can be entered in the records kept at local police stations and in the records that are maintained centrally (Human Rights Advocate 11 Mar. 2009). The central and state governments in India maintain lists of political dissidents who have not committed any crimes (ibid.). The names of those released without any charges cannot legally be maintained in the POLNET or in any other database, but in practice the state governments do keep records of such people in the POLNET and regard them with "suspicion" (ibid.). The people whose names are in the POLNET may have difficulty legally changing their residences in India, and it is "almost impossible" for residents of Punjab and especially for Sikhs to legally change their addresses (ibid.); this information contrasts with that provided by the Professor.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References

Human Rights Advocate, Supreme Court and Punjab and Haryana High Court, Chandigarh. 11 March 2009. Correspondence.

Indo-Asian News Service. 12 March 2009. "Home Ministry Faulted Over Faulty Equipment to Tripura Police." (Factiva)

Professor, Department of Criminal Justice, Indiana University, Bloomington. 17 December 2008. Correspondence.

The Times of India [New Delhi]. 29 November 2008. Shiva Kumar. "Police Forces Not Equipped with Modern Weapons." (Factiva)

Additional Sources Consulted

Oral sources: The following oral sources did not respond to requests for information within the time constraints of this Response: The Asian Centre for Human Rights in New Delhi, the Bureau of Police Research and Development in New Delhi, the Committee for Information and Initiative on Punjab, the Embassy of India in Washington DC, the High Commission of India in Ottawa, the Human Rights Law Network in New Delhi, the Indian Centre for Human Rights and Law in Mumbai, the Ministry of Home Affairs in New Delhi, the Movement against State Repression in Chandigarh, the National Crime Records Bureau in New Delhi, the National Human Rights Commission in New Delhi, the People's Union for Civil Liberties in New Delhi, the Punjab Police Headquarters in Chandigarh and the Punjab State Human Rights Commission in Chandigarh.

Internet sources, including: Andhra Pradesh Police Manual, Asian Human Rights Commission, *Asia Observer*, *The Hindu*, Human Rights First, Kerala Police, Ministry of Home Affairs, Mumbai Police, National Portal of India, Punjab Police, *The Tribune*.

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